

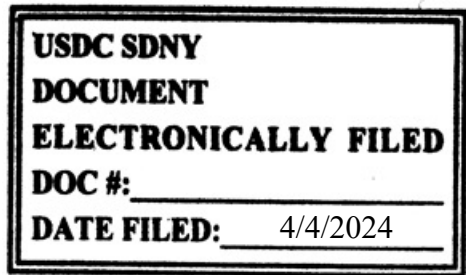
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SERGEI MOROSHKIN,

Plaintiff,

-against-

NATIONAL COUNCIL ON THE AGING, et al.,
Defendants.



23-CV-01301 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

The Court is in receipt of Plaintiff's "Notice for Disclosure." Dkt. No. 10. The Court will construe and treat the "Notice for Disclosure" as a motion for an order under Rule 26(a) of the Federal Rules of Civil Procedure to compel Defendant National Council on the Aging to comply with Plaintiff's initial discovery request to "produce documents related to administrative and financial connections with New York Office of the General Counsel (SOFA) and Senior Community Service Employment Program (SCSEP)." *See* Dkt. No. 10 at 1.

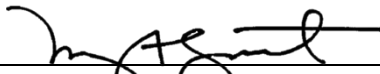
The Court DENIES WITHOUT PREJUDICE Plaintiff's motion as premature, because the time for discovery in this case has not yet begun. Before Plaintiff may seek judicial intervention under Rule 26(a), the following steps should occur: (1) Defendant National Council on the Aging must answer the complaint, (2) the parties must confer on a discovery plan, (3) Plaintiff must serve written discovery demands on Defendant National Council on the Aging, and (4) the parties must make good-faith efforts to resolve any discovery disputes that may arise. *See* Fed. R. Civ. P. 26(d) (timing of discovery); Fed. R. Civ. P. 37(a)(1) (requiring good-faith efforts to resolve discovery disputes before seeking judicial intervention); Local Civil Rule 37.2 (method of raising discovery disputes with the court).

Defendant National Council on the Aging has now been served with the Complaint in this case, and its Answer is due by May 20, 2024. *See* Dkt. No. 11.

The Clerk of Court is respectfully directed to terminate Dkt. No. 10 and mail a copy of this order to Plaintiff.

Dated: April 4, 2024
New York, New York

SO ORDERED.


MARGARET M. GARNETT
United States District Judge